



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/740,585  
Filing Date: December 18, 2000  
Applicant: Jeffrey Morgan Alden  
Group Art Unit: 2178  
Examiner: Joshua D. Campbell  
Title: FUNCTIONAL VISUALIZATION OF SPREADSHEETS  
Attorney Docket: GP-300849

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**APPELLANT'S BRIEF**

This is Appellant's Brief filed in accordance with 37 CFR §1.192 appealing the Examiner's Final Rejection mailed August 12, 2004. Appellant's Notice of Appeal, pursuant to 37 CFR §1.191, is being filed concurrent herewith. This Brief is being submitted in triplicate. PTO Form 2038 is included herewith for authorization to charge a credit card the amount of \$320.00 for filing this Appeal Brief pursuant to 37 CFR §1.17(c).

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**I. Real Party in Interest**

The real party in interest for this appeal is General Motors Corporation of Detroit, Michigan, the assignee of the application.

**II. Related Appeals and Interferences**

There are no related appeals or interferences.

**III. Status of the Claims**

Claims 1 -22 are pending in this application. All of the pending claims stand rejected under 35 USC §103(a) as being unpatentable over the Brandywine Spreadsheet xINavigator Webpage (hereinafter B randywine) in view of US P atent No. 6,041,360 issued to Himmel et al. (hereinafter Himmel).

**IV. Status of Amendments**

All amendments have been entered.

**V. Summary of the Invention**

Appellant's invention is a method (120) and system for maintaining a functional equivalence between a spreadsheet (106, 114) and a visual representation (100, 112) of the spreadsheet (106, 114). In one embodiment, the visual representation is an influence diagram (100, 112). An influence diagram is a graphical display that shows a system model or operation as a series of data entities and calculation entities interconnected by arrows. One can observe changes to the system model by changing one or more of the data entities, and then watching how other entities in the influence diagram respond. Therefore, the influence diagram provides a tool for analyzing the

system model without actually running the system. Figures 2, 4, 5 and 7 show representative examples of an influence diagram for a system model that are used to describe other inventions claimed in other applications. Data spreadsheets, such as Microsoft Excel, are a well known technique for entering and processing data. The present invention couples the influence diagram and the data sheet so that changes in one are automatically reflected by changes in the other.

The method (120) and system include identifying cells in the spreadsheet (106, 114) as data entities (102, 110) and calculation entities (104, 116), and then forming the visual representation (100, 112) of the spreadsheet (106, 114) by interconnecting the data entities (102, 110) and the calculation entities (104, 116) in the visual representation (100, 112) as defined in the spreadsheet (106, 114). The method (120) and system also include detecting changes in the cells of the spreadsheet (106, 114) and then automatically changing the entities in the visual representation (100, 112) to correspond thereto. Further, the method (120) and system include detecting changes in the visual representation (100, 112) and then automatically changing the spreadsheet (106, 114) to correspond thereto.

## **VI. Issue**

Whether claims 1-22 should be rejected under 35 USC §103(a) as being unpatentable over Brandywine in view of Himmel.

## **VII. Grouping of the Claims**

Claims 1-3, 5, 6, 8-12, 14 and 17-20 stand or fall together; claims 4 and 13 stand or fall together; claims 7, 15 and 21 stand or fall together; and claims 16 and 22 stand or fall together.

## VIII. Argument

### A. Independent claims 1, 10 and 18 are not obvious in view of the combination of Brandywine and Himmel.

#### 1. Independent claims 1, 10 and 18.

Independent claim 1 claims a method for providing a visual representation of a spreadsheet. The method includes identifying cells in the spreadsheet as data cells or calculation cells; identifying a collection of data entities and calculation entities for the visual representation, where each entity corresponds to one or more cells in the spreadsheet; positioning the entities in a predetermined configuration; connecting the entities by arrows based on their corresponding relationship in the spreadsheet to form the visual representation; detecting changes in the cells of the spreadsheet; and automatically changing the entities in the visual representation to correspond to the detected changes in the cells of the spreadsheet to automatically maintain a functional equivalence between the visual representation in the spreadsheet, where changes to the visual representation are automatically reflected in the spreadsheet.

Independent claim 10 claims a method for corresponding a visual representation and a spreadsheet. The method includes identifying cells in the spreadsheet as data cells or calculation cells; identifying a collection of data entities and calculation entities for the visual representation; corresponding the data cells to the data entities and the calculation cells to the calculation entities so that the visual representation and the spreadsheet have a functional equivalence; detecting changes in the cells of the spreadsheet and changes in the entities of the visual representation; and automatically changing the entities in the visual representation to correspond to the detected changes in the cells of the spreadsheet and automatically changing the cells of the spreadsheet to correspond to detected changes in the entities in the visual representation so as to

automatically maintain a function equivalence between the visual representation and the spreadsheet.

Independent claim 18 claims a system for corresponding a visual representation and a spreadsheet. The system includes means for identifying cells in a spreadsheet as data cells or calculation cells; means for identifying a collection of data entities and calculation entities for the visual representation; means for corresponding the data cells to the data entities and the calculation cells to the calculation entities so that the visual representation and the spreadsheet have a functional equivalence; means for detecting changes in the cells of the spreadsheet and changes in the entities of visual representation; and means for automatically changing the entities in the visual representation to correspond to detected changes in the cells of the spreadsheet and means for automatically changing the cells in the spreadsheet to correspond to detected changes in the entities in the visual representation so as to automatically maintain a functional equivalence between the visual representation and the spreadsheet.

## **2. *Prima Facie* obviousness**

Appellant respectfully submits that the Examiner has improperly combined Brandywine and Himmel to hold that Appellant's claimed invention is obvious under 35 USC §103(a). MPEP 2143 sets forth the basic requirements of a *prima facie* case of obviousness. Particularly, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Further, there must be a reasonable expectation of success. Also, the prior art references must teach or suggest all of the claim limitations. Appellant submits that the Examiner has not met any of these three criteria.

### 3. Brandywine

The Examiner has relied on pages 3 and 4 of Brandywine to teach most of the elements of Applicant's claimed invention. Those two pages of Brandywine are recreated below.

#### Spreadsheet xlNavigator™

Today most financial businesses rely on solutions based on MS Excel. As a tool it's extremely flexible, sometimes described as the Swiss Army Knife of business. Because of its adaptability it has found its way into all corners of business life. But like all tools it has to be used properly, and if it's not, then your business could be at risk.

Have you ever asked:

- If present, would undiscovered errors lead to financial loss,
- embarrassment or even law suits?

Spreadsheet xlNavigator™, Release 1 (Patent Pending), is the only tool that displays the relationships between spreadsheet cells in a highly intuitive manner. As a result, even the most complicated spreadsheet becomes simple and transparent to a user and undiscovered errors are caught early on. Figure 1 shows the visual representation provided by the xlNavigator. To see more go to Examples.

#### Key Benefits

- Navigate the spreadsheet using cell precedent-dependent representation.
- Flow chart representation emphasizes calculation order.
- Direct link between xlNavigator representation and Excel spreadsheet cells.
- 
- Can use tracer arrows from the auditing toolbar in conjunction with the Spreadsheet xlNavigator™.

A fully functional Trial Version of Spreadsheet xlNavigator™ is available. You can use the Trial Version for 30 days. After 30 days, you must register for continued use. Registration is \$49.95.



Figure 1. Precedent-Dependent relationship display for cells in a spreadsheet

- Highlighting the xINavigator graph node highlights the corresponding cell in the same color.
- Can select a part of the spreadsheet for dependency display.

Brandywine shows a Microsoft Excel spreadsheet and a visual representation of the spreadsheet similar to an influence diagram in figure 1 on page 4. The inventors of the present application have downloaded the "Trial Version" of the Spreadsheet xINavigator from this webpage to determine its capabilities. The inventors have found that by highlighting certain areas in the spreadsheet, a visual representation of those areas is generated. The colors in a portion of the spreadsheet are represented by the same colors in the corresponding portion in the visual representation. The toolbar of the visual representation includes an update box. The inventors have also found that each time a change is made to the spreadsheet, the update box has to be "clicked" in order for that change to be reflected in the visual representation. The inventors have further found that it is not possible to make changes to the visual representation without first making changes to the spreadsheet and then clicking the update box.

Applicant's claimed invention provides a much more robust visual representation of a spreadsheet, and method for maintaining a functional equivalence between the visual representation and the spreadsheet, than the Brandywine xINavigator. Each of the independent claims 1, 10 and 18 states that any detected change in the spreadsheet is automatically reflected by a change in the visual representation. In other words, it is not necessary to perform a separate "click" step for the changes made in the spreadsheet to be shown in the visual representation. Therefore, the spreadsheet and

the visual representation are automatically maintained as a functional equivalence in Appellants claimed invention, which is not done by the Brandywine xlNavigator.

Moreover, Appellant independent claims 1, 10 and 18 further state that changes can be made directly to the visual representation that are then automatically reflected in the spreadsheet. **Appellant submits that the Brandywine xlNavigator does not allow any direct changes to the visual representation, but requires that the update box be clicked to show changes in the visual representation already made to the spreadsheet.** Therefore, Appellant submits that the Brandywine xlNavigator does not provide for automatic changes to the visual representation based on changes to the spreadsheet because the update button must be clicked, and does not allow direct changes to be made to the visual representation, without first changing the spreadsheet.

#### 4. Himmel

It is believed that the Examiner recognizes that Brandywine does not teach or suggest automatically making a change to a visual representation based on changes made to a spreadsheet, and automatically making changes to the spreadsheet based on changes made to the visual representation. It is believed that the Examiner is relying on Himmel to teach this feature of Appellant's invention, particularly stating on page 3 of the final Office Action, "Brandywine does not disclose that the changes are automatically made, rather that an update button must be selected by the user to reflect changes. However, Himmel discloses a method in which a bookmark representation of a corresponding webpage is automatically changed/updated if a change is detected in the corresponding webpage . . . .," citing column 2, line 55 - column 3, line 24 of Himmel. This section of Himmel is recreated below.

Therefore, it is an object of the invention to minimize the administrative burden at maintaining bookmarks in a browser.

It is another object of the invention to dynamically update a designated bookmark in a browser

It is another object of the invention to avoid update of particular bookmarks in the browser

These and other objects are accomplished by providing access to the Internet using dynamic bookmarks. A first bookmark is stored in a browser in a computer system, the first bookmark referencing a web page at a Uniform Resource Locator (URL). A dynamic attribute for the first bookmark to keep it updated. When a change is detected in the web page data incorporated in the first bookmark, it is automatically updated by virtue of its dynamic attribute to reflect the change in web page data.

The change in web page data can be detected during a request for the web page referenced by the first bookmark. If redirection of the request to a new URL is detected, the first bookmark is updated to the new URL. A new request for the web page is issued using the new URL. The change in web page data could alternatively be a change in the name of the web page. Setting the dynamic attribute is accomplished by the browser or at the server for a downloaded bookmark. In the preferred embodiment, the bookmark is a member of a bookmark set. The bookmark set can all have dynamic attributes, but may have member with static attributes which remain constant despite changes in web page data. A special case of a dynamic attribute is a temporary dynamic attribute which provides that the bookmark set remain resident only for the duration of a web site browsing session. The dynamic attribute of the bookmark can be overridden by a static browser preference selectable by the user so that all bookmarks remain static in the browser.

The Examiner correctly states that Himmel discloses a method for automatically updating an internet bookmark that is used to access a webpage by detecting changes in the webpage data. From this teaching, the Examiner has concluded that, "it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Brandywine with the method of Himmel et al. because

it would have guaranteed the user would always be viewing the correct up-to-date information,” page 3 of the final Office Action.

Appellant has carefully reviewed Himmel and can find no teaching or suggestion therein of automatically updating a visual representation of a spreadsheet based on changes made to the spreadsheet, and automatically updating the spreadsheet based on changes made to the visual representation of the spreadsheet. Appellant's claimed invention goes both ways. Changes made to the spreadsheet are then automatically shown in the visual representation, and changes made to the visual representation are then automatically shown in the spreadsheet. Brandywine only allows changes to be made to the spreadsheet, and does not allow changes to be made directly to the visual representation. Himmel only teaches automatically updating a bookmark in response to a detected change in the webpage data, and also only goes one way.

Appellant respectfully submits that the Examiner has improperly combined the teachings of Brandywine and Himmel to hold that Appellant's independent claims are *prima facie* obvious because the combination of Brandywine and Himmel does not meet any of the requirements of MPEP 2143 discussed above. The Examiner has not provided any discussion as to how there is a suggestion or motivation in Brandywine or Himmel to modify the references or to combine reference teaching. MPEP 2143.01 states that there are three possible sources for a motivation to combine references. These sources include the nature of the problem to be solved, the teachings of the prior art and the knowledge of persons of ordinary skill in the art. Appellant submits that the Examiner has not provided any of these sources. Also, the Examiner has not shown the reasonable expectation of success. Further, the Examiner has not shown all of the claim limitations, particularly automatically updating the visual representation of a spreadsheet based on changes made to the spreadsheet, and automatically updating

the spreadsheet based on changes made to the visual representation of the spreadsheet.

Appellant challenged the Examiner's combination of Brandywine and Himmel as not being *prima facie* obviousness in their response to the final Office Action. In his Advisory Action the Examiner stated, "the request for reconsideration does not place the application in condition for allowance because the use of Himmel et al. in the USC 103(a) rejection is to provide basis that it would have been obvious for an interface to maintain correspondence between two entities automatically. As disclosed in the rejection, Brandywine teaches that the correspondence is maintained between a spreadsheet and a visual diagram, but it is not done without the click of a button, so it is only necessary to show that it is not a novel concept to automatically maintain such a correspondence."

Appellant respectfully submits that this statement does not show *prima facie* obviousness because it does not show how the elements missing from Brandywine are found in Himmel. The Examiner does not address the issue of how the Himmel method for automatically updating an internet bookmark teaches or motivates one of skill in the art to modify the Brandywine xlnavigator to automatically update a visual representation of a spreadsheet based on changes made to the spreadsheet. Further, the Examiner does not address the missing element from Brandywine and Himmel that neither teach that changes to a visual representation of a spreadsheet are automatically reflected in the spreadsheet.

## **5. Discussion**

Appellant submits that their claimed method of automatically maintaining a functional equivalence between a spreadsheet and a visual representation of the

spreadsheet is beyond the scope and teachings of Brandywine because the Brandywine xlNavigator does not teach one of skill in the art how to automatically update the visual representation when changes are made to the spreadsheet and allow changes to be made directly to the visual representation that are then automatically shown in the spreadsheet. Appellant's algorithms that perform these functions are more detailed and well beyond what is fairly taught or suggested by Brandywine.

Himmel only teaches updating a dynamic bookmark stored in a web browser, and has nothing to do with a spreadsheet or a visual representation of a spreadsheet. Appellant respectfully submits that nothing taught or suggested by Himmel would lead one of ordinary skill in the art to modify the Brandywine xlNavigator to automatically make changes to the visual representation in response to the changes to the spreadsheet, and allow changes to be made directly to the visual representation that are then automatically shown in the spreadsheet. Appellant submits that automatically updating a dynamic bookmark in a web browser is completely different and unrelated to maintaining a functional equivalence between a spreadsheet and a visual representation of the spreadsheet.

**B. Dependent claims 4, 7, 13, 15, 16, 21 and 22 are not obvious in view of the combination of Brandywine and Himmel.**

With regard to dependent claims 4 and 13, the Examiner states on page 3 of the final Office Action that "Brandywine discloses that the user may configure the entities in a visually pleasing manner or allow the entities to be automatically configured based on an algorithm . . .," citing pages 3, 4 and 7 of Brandywine. Page 7 of Brandywine is Figure 2 showing tracer arrows that provide another view of the cell dependency. Appellant has carefully reviewed these pages of Brandywine and can find no teaching therein of employing an automatic design layout algorithm to configure the entities.

With regard to dependent claims 7, 15 and 21, the Examiner states on page 4 of the final Office Action that "Brandywine discloses that multiple entities are created when a cell is used more than once in a spreadsheet," citing pages 3, 4 and 7 of Brandywine. Appellant has carefully reviewed these pages of Brandywine and can find no teaching therein of creating multiple identical entities in the visual representation if data cells are repeatedly used in the spreadsheet.

With regard to dependent claims 16 and 22, the Examiner states on page 5 of the final Office Action that "Brandywine does not disclose a method in which deleting entities from the visual representation automatically deletes the corresponding cells from the spreadsheet. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to do this because it would be necessary to make a direct link between the visual representation and Excel spreadsheet cells as disclosed by Brandywine," citing pages 3 and 4 of Brandywine. Appellant respectfully submits that this statement by the Examiner does not establish a *prima facie* case of obviousness because, as discussed above, Brandywine does not allow changes to be made directly to the visual representation, and therefore, does not teach or suggest automatically deleting cells from the spreadsheet in response to entities that are removed from the visual representation.

**IX. Conclusion**

Appellant respectfully submits that claims 1-22 are not obvious in view of the combination of Brandywine and Himmel. It is therefore respectfully requested that the Examiner's Final Rejection under 35 USC §103(a) be reversed, and that Appellant's claims be allowed.

Respectfully submitted,

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APPENDIX A**COPY OF CLAIMS INVOLVED IN THE APPEAL**

1. A method for providing a visual representation of a spreadsheet, said method comprising the steps of:

identifying cells in the spreadsheet as data cells or calculation cells;  
identifying a collection of data entities and calculation entities for the visual representation, where each entity corresponds to one or more cells in the spreadsheet;  
positioning the entities in a predetermined configuration;  
connecting the entities by arrows based on their corresponding relationship in the spreadsheet to form the visual representation;  
detecting changes in the cells of the spreadsheet; and  
automatically changing the entities in the visual representation to correspond to the detected changes in the cells of the spreadsheet to automatically maintain a functional equivalence between the visual representation and the spreadsheet, wherein changes to the visual representation are automatically reflected in the spreadsheet.

2. The method according to claim 1 wherein the step of changing the entities includes modifying the content of the entities to correspond to changes made in the cells of the spreadsheet.

3. The method according to claim 1 wherein the step of positioning the entities includes employing user interaction to configure the entities in a visually pleasing manner.

4. The method according to claim 1 wherein the step of positioning the entities includes employing an automatic design layout algorithm to configure the entities.

5. The method according to claim 1 wherein the step of identifying a collection of entities includes determining the appearance of each entity based on its function.

6. The method according to claim 5 wherein the step of determining the appearance of each entity includes forming the data entities in one shape and forming the calculation entities in another shape.

7. The method according to claim 1 further comprising the step of creating multiple identical entities in the visual representation if data cells are repeatedly used in the spreadsheet.

8. The method according to claim 1 wherein the step of changing the entities includes automatically deleting entities from the visual representation in response to cells that are removed from the spreadsheet.

9. The method according to claim 1 wherein the step of identifying a series of entities includes determining descriptive labels for each entity that is identified.

10. A method for corresponding a visual representation and a spreadsheet, said method comprising the steps of:

identifying cells in the spreadsheet as data cells or calculation cells;

identifying a collection of data entities and calculation entities for the visual representation;

corresponding the data cells to the data entities and the calculation cells to the calculation entities so that the visual representation and the spreadsheet have a functional equivalence;

detecting changes in the cells of the spreadsheet and changes in the entities of the visual representation; and

automatically changing the entities in the visual representation to correspond to the detected changes in the cells of the spreadsheet and automatically changing the cells in the spreadsheet to correspond to detected changes in the entities in the visual representation so as to automatically maintain a functional equivalence between the visual representation and the spreadsheet.

11. The method according to claim 10 further comprising the steps of positioning the entities in the visual representation in a predetermined configuration and

connecting the entities together by arrows to define the functional operation of the visual representation.

12. The method according to claim 11 wherein the step of positioning the entities includes employing user interaction to configure the entities in a visually pleasing manner.

13. The method according to claim 11 wherein the step of positioning the entities includes employing an automatic design layout algorithm to configure the entities.

14. The method according to claim 10 further comprising the step of determining the appearance of each entity in the visual representation so that the data entities have one shape and the calculation entities have another shape.

15. The method according to claim 10 further comprising the step of creating multiple identical entities in the visual representation if data cells are repeatedly used in the spreadsheet.

16. The method according to claim 10 wherein the step of changing the entities includes automatically deleting entities from the visual representation in response to cells that are removed from the spreadsheet and automatically deleting cells from the spreadsheet in response to entities that are removed from the visual representation.

17. The method according to claim 10 wherein the visual representation is an influence diagram.

18. A system for corresponding a visual representation and a spreadsheet, said system comprising:

means for identifying cells in the spreadsheet as data cells or calculation cells;

means for identifying a collection of data entities and calculation entities for the visual representation;

means for corresponding the data cells to the data entities and the calculation cells to the calculation entities so that the visual representation in the spreadsheet have a functional equivalence;

means for detecting changes in the cells of the spreadsheet and changes in the entities of the visual representation; and

means for automatically changing the entities in the visual representation to correspond to detected changes in the cells of the spreadsheet and means for automatically changing the cells in the spreadsheet to correspond to detected changes in the entities in the visual representation so as to automatically maintain a functional equivalence between the visual representations and the spreadsheet.

19. The system according to claim 18 further comprising means for positioning the entities in the visual representation in a predetermined configuration and means for connecting the entities together by arrows to define the functional operation of the visual representation.

20. The system according to claim 18 further comprising means for determining the appearance of each entity in the visual representation so that the data entities have one shape and the calculation entities have another shape.

21. The system according to claim 18 further comprising means for creating multiple identical identities in the visual representation if data cells are repeatedly used in the spreadsheet.

22. The system according to claim 18 wherein the means for changing the entities includes means for automatically deleting entities from the visual representation in response to cells that are removed from the spreadsheet and automatically deleting cells from the spreadsheet in response to entities that are removed from the visual representation.



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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/740,585
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